

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

TASER INTERNATIONAL, INC., <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	Case No.: 1:10-CV-03108-JEC
	)	
v.	)	[On removal from the State
	)	Court of Fulton County,
	)	Georgia Case No.
MORGAN STANLEY & CO., INC., <i>et al.</i> ,	)	2008-EV-004739-B]
	)	
Defendants.	)	
	)	
<hr style="width: 50%; margin-left: 0;"/>		

**JOINT MOTION TO SEAL PURSUANT TO PROTECTIVE ORDER**

Pursuant to the Protective Order entered on April 15, 2010, by the State Court in this action, Plaintiffs and Defendant Banc of America Securities LLC hereby file this Motion to Seal seeking issuance of an order sealing Plaintiffs' Notice to Take Deposition of Banc of America Securities LLC ("Deposition Notice") [Dkt. 276].

1. This motion to seal is requested pursuant to the Protective Order entered in this case on April 15, 2010.
2. The proposed item for seal is Plaintiffs' Notice to Take Deposition of Banc of America Securities LLC [Dkt. 276].

3. Plaintiffs and Defendant Banc of America Securities LLC request that these documents remain sealed for the duration of this case, or until further notice of the Court.

4. The documents are within the Protective Order entered in this case on April 15, 2010.

The parties request that the Court seal these documents because several of the topics listed in the Deposition Notice include information that has been marked as “Confidential” or “Highly Confidential” pursuant to the terms of the Protective Order issued in this case and entered by the State Court on April 15, 2010. The Deposition Notice incorporates and describes this confidential information. Accordingly, Plaintiffs and Defendant Banc of America Securities LLC respectfully request that the Court seal Plaintiffs’ Notice to Take Deposition of Banc of America Securities LLC [Dkt. 276].

[signatures on next page]

Respectfully submitted, this 24th day of March, 2011.

/s/ Michael A. Caplan

John E. Floyd

Georgia Bar No. 266413

Steven J. Rosenwasser

Georgia Bar No. 614908

Nicole G. Iannarone

Georgia Bar No. 382510

Michael A. Caplan

Georgia Bar No. 601039

BONDURANT, MIXSON & ELMORE, LLP

3900 One Atlantic Center

1201 West Peachtree Street, N.W.

Atlanta, Georgia 30309

[caplan@bmelaw.com](mailto:caplan@bmelaw.com)

/s/ Brad Elias

(by MAC with express permission)

Andrew J. Frackman, Esq.

Brad Elias, Esq.

O'MELVENY & MYERS LLP

7 Times Square

New York, NY 10036

[afrackman@omm.com](mailto:afrackman@omm.com)

**Attorneys for Defendant Banc of  
America Securities LLC**

**Attorneys for the Plaintiffs**

**CERTIFICATE OF SERVICE**

I hereby certify that on this day, a true and correct copy of the foregoing **JOINT MOTION TO SEAL PURSUANT TO PROTECTIVE ORDER** was electronically filed with the Clerk of Court using the Court's electronic filing system which will automatically send an email notification of such filing to the following attorneys of record who are registered participants in the Court's electronic notice and filing system:

**Attorneys for Defendants:**

Richard H. Sinkfield, Esq.  
Dan F. Laney, III, Esq.  
Kristina M. Jones, Esq.  
Stefanie H. Jackman, Esq.  
James W. Cobb, Esq.  
Rogers & Hardin  
2700 International Tower, Peachtree Center  
229 Peachtree Street, N.E.  
Atlanta, GA 30303-1601  
rsinkfield@rh-law.com

Further, I hereby certify that on this day, I caused a true and correct copy of the foregoing to be served by U.S. Mail on:

**Attorneys for Banc of America Securities LLC;  
Merrill Lynch, Pierce, Fenner & Smith, Inc.; and Merrill Lynch  
Professional Clearing Corporation:**  
Andrew J. Frackman, Esq.  
Brad Elias, Esq.  
O'Melveny & Myers LLP  
7 Times Square

New York, NY 10036  
afrackman@omm.com

**Attorneys for Morgan Stanley & Co. Incorporated:**

Robert F. Wise, Jr., Esq.  
William J. Fenrich, Esq.  
Melissa T. Aoyagi, Esq.  
Davis Polk & Wardwell LLP  
450 Lexington Avenue  
New York, NY 10017  
robert.wise@davispolk.com

**Attorneys for Bear Stearns & Co., Inc. and Bear Stearns Securities Corp.:**

Stephen L. Ratner, Esq.  
Harry Frischer, Esq.  
Brian L. Friedman, Esq.  
Proskauer Rose LLP  
1585 Broadway  
New York, NY 10036  
blfriedman@proskauer.com

**Attorneys for Goldman, Sachs & Co. and Goldman Sachs Execution & Clearing, L.P.:**

Richard C. Pepperman II, Esq.  
Richard H. Klapper, Esq.  
Tracy Richelle High, Esq.  
Sullivan & Cromwell LLP  
125 Broad Street  
New York, NY 10004  
peppermanr@sullcrom.com

**Attorneys for Deutsche Bank Securities Inc.:**

Heather L. Fesnak, Esq.  
Peter J. Isajiw, Esq.  
Gregory A. Markel, Esq.  
Cadwalader Wickersham & Taft LLP  
One World Financial Center

New York, NY 10281  
peter.isajiw@cwt.com

**Attorneys for UBS Securities, LLC:**

Andrew B. Clubok, Esq.  
Jeffrey G. Landis, Esq.  
Daniel Gomez, Esq.  
Kirkland & Ellis LLP  
655 Fifteenth Street, N.W., Suite 1200  
Washington, DC 20005-5793  
aclubok@kirkland.com

Maria Ginzburg, Esq.  
Kirkland & Ellis LLP  
Citigroup Center  
153 East 53<sup>rd</sup> Street  
New York, NY 10022-4611

**Attorneys for Credit Suisse Securities (USA), LLC.:**

Fraser L. Hunter, Jr., Esq.  
Wilmer Cutler Pickering Hale & Dorr LLP  
399 Park Avenue  
New York, NY 10022  
fraser.hunter@wilmerhale.com

This 24th day of March, 2011.

/s/ Michael A. Caplan  
Michael A. Caplan  
Georgia Bar No. 601039